

Senate Amendment 5135

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1 1 Amend Senate File 2183, as passed by the Senate, as
1 2 follows:

1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:

1 5 <Section 1. Section 15E.192, subsection 2, Code
1 6 Supplement 2005, is amended to read as follows:

1 7 2. A city ~~with a population of twenty-four~~
~~1 8 thousand or more which includes at least three census~~
~~1 9 tracts with at least fifty percent of the population~~
~~1 10 in each census tract located in the city, as shown by~~

1 11 the 2000 certified federal census, may create an
1 12 economic development enterprise zone as authorized in
1 13 this division, subject to certification by the
1 14 department of economic development, by designating one
1 15 or more contiguous census tracts, as determined in the
1 16 most recent federal census, or designating other
1 17 geographic units approved by the department of
1 18 economic development for that purpose. If there is an
1 19 area in the city which meets the requirements for
1 20 eligibility for an urban or rural enterprise community
1 21 under Title XIII of the federal Omnibus Budget
1 22 Reconciliation Act of 1993, such area shall be
1 23 designated by the state as an economic development
1 24 enterprise zone. The area meeting the requirements
1 25 for eligibility for an urban or rural enterprise
1 26 community shall not be included for the purpose of
1 27 determining the area limitation pursuant to subsection

1 28 3. In creating an enterprise zone, a city ~~with a~~
~~1 29 population of twenty-four thousand or more which~~
~~1 30 includes at least three census tracts with at least~~
~~1 31 fifty percent of the population in each census tract~~
~~1 32 located in the city, as shown by the 2000 certified~~

1 33 federal census, may designate as part of the area
1 34 tracts or approved geographic units located in a
1 35 contiguous city if such tracts or approved geographic
1 36 units meet the criteria and the city agrees to being
1 37 included. The city may establish more than one
1 38 enterprise zone. Reference in this division to "city"
1 39 means a city ~~with a population of twenty-four thousand~~
~~1 40 or more which includes at least three census tracts~~
~~1 41 with at least fifty percent of the population in each~~
~~1 42 census tract located in the city, as shown by the 2000~~
1 43 certified federal census.

1 44 Sec. 2. Section 15E.192, Code Supplement 2005, is
1 45 amended by adding the following new subsection:

1 46 NEW SUBSECTION. 2A. A city may create an economic
1 47 development enterprise zone as authorized in this
1 48 division, subject to certification by the department
1 49 of economic development, by designating up to four
1 50 square miles of the city for that purpose. In order
2 1 for an enterprise zone to be certified pursuant to
2 2 this subsection, an enterprise zone shall meet the
2 3 distress criteria provided in section 15E.194,
2 4 subsection 2A. Section 15E.194, subsection 2, shall
2 5 not apply to an enterprise zone certified pursuant to
2 6 this subsection. For the fiscal year beginning July
2 7 1, 2007, and ending June 30, 2010, each fiscal year a
2 8 cumulative total of not more than twenty-five million
2 9 dollars worth of incentives and assistance under
2 10 section 15E.196, subsections 1, 2, 3, 4, and 6, shall
2 11 be awarded to businesses located in enterprise zones
2 12 certified during that fiscal year pursuant to this
2 13 subsection. For purposes of this subsection and
2 14 section 15E.194, subsection 2A, "city" means a city
2 15 that includes at least three census tracts, as
2 16 determined in the most recent federal census.

2 17 Sec. 3. Section 15E.192, subsection 3, paragraph
2 18 b, Code Supplement 2005, is amended to read as
2 19 follows:

2 20 b. A county or city may apply to the department
2 21 for an area to be certified as an enterprise zone at
2 22 any time prior to ~~March 1, 2006~~ July 1, 2010.
2 23 However, the total amount of land designated as
2 24 enterprise zones under ~~subsections 1 and 2~~ subsection

2 25 1, and any other enterprise zones certified by the
2 26 department, excluding those approved pursuant to
2 27 ~~subsection 2 and~~ section 15E.194, ~~subsection~~
2 28 ~~subsections 2A and 4~~, shall not exceed in the
2 29 aggregate one percent of the total county area.
2 30 Sec. 4. Section 15E.192, subsection 4, Code
2 31 Supplement 2005, is amended to read as follows:
2 32 4. An enterprise zone designation shall remain in
2 33 effect for ten years following the date of
2 34 certification. ~~Prior to the expiration of an~~
2 35 ~~enterprise zone designation, a city or county meeting~~
2 36 ~~the distress criteria in section 15E.194 may apply for~~
2 37 ~~a one-time ten-year extension of the designation. In~~
2 38 ~~applying for a one-time ten-year extension of an~~
2 39 ~~enterprise zone designation, a city or county may~~
2 40 ~~redefine the boundaries of the enterprise zone~~
2 41 ~~provided that the redefined enterprise zone meets the~~
2 42 ~~applicable distress criteria provided in section~~
2 43 ~~15E.194. Prior to the expiration of an enterprise~~
2 44 ~~zone designation, a city or county that is not~~
2 45 ~~eligible to designate an enterprise zone but~~
2 46 ~~previously designated the enterprise zone pursuant to~~
2 47 ~~section 15E.194, Code Supplement 1997, may apply for a~~
2 48 ~~one-time extension of the enterprise zone designation~~
2 49 ~~to one year following the complete publication of the~~
2 50 ~~2010 federal census. In applying for a one-time~~
3 1 ~~extension of the enterprise zone designation, the city~~
3 2 ~~or county may redefine the boundaries of the~~
3 3 ~~enterprise zone provided that the redefined enterprise~~
3 4 ~~zone meets the distress criteria provided in section~~
3 5 ~~15E.194, Code Supplement 1997. The department shall~~
3 6 ~~designate by rule the specific date of one year~~
3 7 ~~following the complete publication of the 2010 federal~~
3 8 ~~census. Any state or local incentives or assistance~~
3 9 ~~that may be conferred must be conferred before the~~
3 10 ~~designation expires. However, the benefits of the~~
3 11 ~~incentive or assistance may continue beyond the~~
3 12 ~~expiration.~~
3 13 Sec. 5. Section 15E.193B, subsection 1, Code
3 14 Supplement 2005, is amended to read as follows:
3 15 1. A housing business qualifying under this
3 16 section is eligible to receive incentives and
3 17 assistance only as provided in this section. An
3 18 eligible housing business shall not receive incentives
3 19 or assistance for a home or multiple dwelling unit
3 20 built or rehabilitated in an enterprise zone
3 21 designated pursuant to section 15E.194, subsection 2A
3 22 ~~or 4. Sections 15E.193 and 15E.196 do not apply to an~~
3 23 ~~eligible housing business qualifying under this~~
3 24 ~~section.~~
3 25 Sec. 6. Section 15E.194, Code 2005, is amended by
3 26 adding the following new subsection:
3 27 NEW SUBSECTION. 2A. A city may designate an area
3 28 of up to four square miles to be an enterprise zone if
3 29 the area includes or is located within four miles of
3 30 at least three of the following:
3 31 a. A commercial service airport.
3 32 b. A barge terminal or a navigable waterway.
3 33 c. Entry to a rail line.
3 34 d. Entry to an interstate highway.
3 35 e. Entry to a commercial and industrial highway
3 36 network as identified pursuant to section 313.2A.
3 37 An eligible housing business under section 15E.193B
3 38 shall not receive incentives or assistance for a home
3 39 or multiple dwelling unit built or rehabilitated in an
3 40 enterprise zone designated pursuant to this
3 41 subsection.
3 42 Sec. 7. Section 15E.194, subsection 3, Code 2005,
3 43 is amended to read as follows:
3 44 3. The department of economic development shall
3 45 certify eligible enterprise zones that meet the
3 46 requirements of subsection 1 upon request by the
3 47 county, ~~or~~ subsection 2 upon request by the city, ~~or~~
3 48 ~~subsection 2A upon request by the city, as applicable.~~
3 49 Sec. 8. Section 15E.195, subsection 2, Code 2005,
3 50 is amended to read as follows:
4 1 2. A city ~~with a population of twenty-four~~
4 2 ~~thousand or more which includes at least three census~~
4 3 ~~tracts with at least fifty percent of the population~~
4 4 ~~in each census tract located in the city and which~~
4 5 designates an enterprise zone pursuant to section

4 6 15E.194, subsection 2 or 2A, and in which an eligible
4 7 enterprise zone is certified shall establish an
4 8 enterprise zone commission to review applications from
4 9 qualified businesses located within or requesting to
4 10 locate within an enterprise zone to receive incentives
4 11 or assistance as provided in section 15E.196. The
4 12 enterprise zone commission shall review applications
4 13 from qualified housing businesses requesting to
4 14 receive incentives or assistance as provided in
4 15 section 15E.193B. The commission shall consist of
4 16 nine members. Six of these members shall consist of
4 17 one representative of an international labor
4 18 organization, one member with economic development
4 19 expertise chosen by the department of economic
4 20 development, one representative of the city council,
4 21 one member of the local community college board of
4 22 directors, one member of the city planning and zoning
4 23 commission, and one representative of the local
4 24 workforce development center. These six members shall
4 25 select the remaining three members. If the enterprise
4 26 zone consists of an area meeting the requirements for
4 27 eligibility for an urban enterprise community under
4 28 Title XIII of the federal Omnibus Budget
4 29 Reconciliation Act of 1993, one of the remaining three
4 30 members shall be a representative of that community.
4 31 If a city contiguous to the city designating the
4 32 enterprise zone is included in an enterprise zone, a
4 33 representative of the contiguous city, chosen by the
4 34 city council, shall be a member of the commission. A
4 35 city in which an eligible enterprise zone is certified
4 36 shall have only one enterprise zone commission. If a
4 37 city has established an enterprise zone commission
4 38 prior to July 1, 1998, the city may petition to the
4 39 department of economic development to change the
4 40 structure of the existing commission.

4 41 Sec. 9. REPORT. By December 31, 2006, the
4 42 department of economic development shall submit a
4 43 written report to the general assembly regarding the
4 44 enterprise zone program and other programs
4 45 administered by the department. The report shall
4 46 include an analysis of the impact the enterprise zone
4 47 program has on the state's economy and the economy of
4 48 the cities and counties where enterprise zones are and
4 49 have been located, how the enterprise zone program
4 50 integrates with other programs administered by the
5 1 department, whether other programs administered by the
5 2 department are used to focus assistance on
5 3 economically distressed areas of the state, and any
5 4 changes to the enterprise zone program or any other
5 5 programs administered by the department necessary to
5 6 better serve the needs of the economically distressed
5 7 areas of the state.

5 8 Sec. 10. EFFECTIVE AND RETROACTIVE APPLICABILITY
5 9 DATES.

5 10 1. The section of this Act amending section
5 11 15E.192, subsection 4, being deemed of immediate
5 12 importance, takes effect upon enactment and applies
5 13 retroactively to May 14, 1997.

5 14 2. The remaining sections of this Act, being
5 15 deemed of immediate importance, take effect upon
5 16 enactment and apply retroactively to March 1, 2006.>

5 17 #2. Title page, by striking lines 1 and 2 and
5 18 inserting the following: <An Act relating to the
5 19 certification of enterprise zones and incentives and
5 20 assistance under the enterprise zone program and
5 21 including effective date and retroactive applicability
5 22 provisions.>

5 23 #3. By renumbering as necessary.

5 24 SF 2183.H

5 25 tm/es/25